



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

164180

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

AUG 16 1995

Mr. Nasserudin Khan
Pathan Chemical Company, Inc.
427 E. Moyer Street
Philadelphia, PA. 19125

re: Pathan Chemical Company Site
Philadelphia, Pennsylvania

Dear Mr. Khan:

The U.S. Environmental Protection Agency (EPA) is seeking information concerning a release, or the threat of release, of hazardous substances, pollutants or contaminants into the environment at the above referenced site. Pursuant to the authority of Section 3007(a) of the Resource Conservation and Recovery Act, as amended ("RCRA"), 42 U.S.C. Section 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), your company is required to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), pollutants, contaminants, and/or hazardous wastes as defined by Section 1004(5) of RCRA, 42 U.S.C. Section 6903(5), which were transported to, stored, treated, or disposed of at the above referenced facility or the surrounding area.

The provisions in Section 104 of CERCLA, 42 U.S.C. Section 9604 and Section 3008 of RCRA, 42 U.S.C. Section 6928, authorize EPA to pursue penalties for failure to comply with these sections or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under the Criminal Fines Enforcement Act, 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

Instructions for responding to this required submission of information are provided below. Please respond for all materials which are potentially hazardous as well as the hazardous substances, pollutants and contaminants previously specified in this letter.

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As used herein, the term "documents" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

EPA requires that you respond fully and completely to the items listed below. Your response should include, but not be limited to, information and documentation concerning the following:

1. Please, list the corporate officers of the Pathan Chemical Company, and give address and phone number for each individual;
2. Provide the date on which the Pathan Chemical Company incorporated and the State of incorporation;
3. Explain your involvement with the Pathan Chemical Company Inc.;
4. Provide the date the Pathan Chemical Company started its operations at the Site;
5. Explain in detail the type of business operations conducted at the Site by Pathan Chemical Company and who is or was responsible for day to day operations;
6. Provide any and all information you may have pertaining to how the hazardous materials were treated, stored, generated, and located on site at Pathan Chemical Company;
7. Explain how the lab and various drums came to be located on the Site property;
8. Please complete the attached corporate and individual financial questionnaires and provide copies of the Pathan Chemical Company tax returns, including all schedules and attachments, for the past five (5) years. In addition, provide your individual tax returns, including all schedules and attachments, for the past five (5) years.

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information

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subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you.

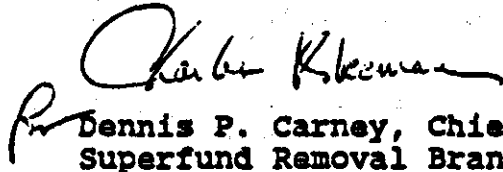
This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

Please respond in writing to this required submission of information within 10 calendar days of your receipt of this letter. All documents and information should be sent to:

Kim Roy Young (3HW33)
Removal Enforcement Section
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107

If you have any question concerning this matter, please contact Mr. Young at (215) 597-7976 or have your attorney contact Ms. Bonnie Pugh, Assistant Regional Counsel, at (215) 597-8448.

Sincerely,


Dennis P. Carney, Chief
Superfund Removal Branch

Enclosures

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